

# EXHIBIT A

**CHAITMAN LLP**

Helen Davis Chaitman

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465 Park Avenue

New York, New York 10022

Phone & Fax: 888-759-1114

*Attorneys for Defendants listed on Schedule A  
attached hereto*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON SCHEDULE A  
ATTACHED HERETO,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. Nos. listed on Schedule A  
Attached Hereto

**DEFENDANTS' SECOND SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS TO THE TRUSTEE**

**PLEASE TAKE NOTICE** that, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure (the "Federal Rules") and Rule 7034 of the Federal Rules of Bankruptcy Procedure (the

“Bankruptcy Rules”), the Local Civil Rules of the United States District Court for the Southern District of New York and of this Court (the “Local Rules”), the Defendant requests that the Trustee (“You”) produce the documents set forth herein (the “Requests”) to the offices of Chaitman LLP, 465 Park Avenue, New York, New York 10022, within 30 days of the date set forth below.

### **DEFINITIONS AND INSTRUCTIONS**

1. The rules of construction and definitions in Local Rule 26.3, as adopted by Rule 7026-1 of the Local Bankruptcy Rules, are hereby incorporated by reference. All defined terms, including those defined in Local Rule 26.3 are capitalized herein.

2. The Trustee’s counsel should meet and confer with the undersigned counsel concerning any questions or concerns regarding any Request. The undersigned counsel believes that, in the great majority of instances, discovery issues and disputes can be informally resolved in a manner that serves the interests of both economy and justice.

3. “Document” is used in its broadest sense and means any attempts to record or transmit information or knowledge and includes the original and all drafts of a writing, which includes, without limitation, all written, recorded, digital, graphic or photographic matter, including electronically stored information (“ESI”), however produced, reproduced or stored, of every kind and description including any agenda, supplements, amendments, revisions, exhibits or appendices thereto, and includes, without limiting the generality of the foregoing, originals (or copies where originals are not available) and drafts of the following: all papers, emails, letters, notes, memoranda, pamphlets, correspondence, telegrams, cables, photographs, microfilm, prints, recordings, transcriptions, blueprints, drawings, books, accounts, objects, notes, electronic or magnetic recordings or sound recordings of any type of personal or telephone conversations or meetings or conferences, minutes of directors or committee meetings, other minutes, reports, studies, written forecasts, projects, analyses, contracts, licenses, agreements, ledgers, journals,

books of account, vouchers, bank checks, invoices, charge slips, expense account reports, hotel charges, receipts, freight bills, working papers, drafts, statistical records, cost sheets, abstracts of bids, stenographers' notebooks, calendars, appointment books, telephone slips, wire transfer slips and logs, diaries, time sheets or logs, job or transaction files, computer printouts or papers similar to any of the foregoing, however denominated by You.

4. In producing documents, indicate the paragraph and subparagraph (where applicable) of the Request(s) to which a produced document is responsive.

5. To the extent not clarified above, these Requests specifically include documents in electronic form, including emails and other Electronically Stored Information (“ESI”) which may or may not be reduced to hard copy in the normal course of business and which may be stored or archived on file servers, hard drives, hard or floppy disks or diskettes, backup tapes, or other storage media. ESI should be produced in an intelligible format or together with a sufficient description of the system or program from which each was derived to permit rendering the material intelligible.

6. In producing documents and other materials, You are requested to furnish all documents or things in your possession, custody or control, regardless of whether such documents or materials are possessed directly by You or your directors, officers, agents, employees, representatives, subsidiaries, managing agents, affiliates, investigators, or by your attorneys or their agents, employees, representatives or investigators.

7. In producing documents, You are requested to produce the original of each document requested together with all non-identical copies and drafts of that document.

8. “Related to” and “relating to” or any variation thereof shall be construed to include refer to, summarize, reflect, constitute, contain, embody, mention, show, comprise, evidence,

discuss, describe, comment upon, concerning, regarding, alluding to, pertaining to, probative of, in connection with, dealing with, in respect of, about, involving, identifying, or proving.

9. “And” and “or” shall be construed conjunctively or disjunctively, whichever makes this request more inclusive.

10. The singular number and masculine gender used within this document embraces and shall be read and applied as the plural or the feminine or neuter as circumstances make it appropriate.

11. If You cannot provide, or object to providing, a complete response to a particular Request, the Request should be answered to the extent possible and an explanation should be provided as to why only a partial response is given.

12. If You discover that a response is incomplete or incorrect, You must, in a timely manner, supplement, or correct such response in accordance with the Federal Rules and the Bankruptcy Rules.

13. In the event You object to the production of any document responsive to this request, as privileged or confidential, please state:

- a. the name of each author, writer, sender or initiator of the document, if any;
- b. the name of each recipient, addressee, or party for whom the document was intended or received, if any;
- c. the date of the document, if any, or an estimate thereof and so indicated as an estimate if no date appears on the document;
- d. a description of the general nature of the document and a description of the general subject matter as described in the document, or if no description appears, then sufficient other description to identify the document for a subpoena duces tecum, including the number of pages and attachments;

e. the specific privilege or objection that You contend applies to the document (e.g., attorney-client privilege).

**REQUESTS FOR PRODUCTION**

1. All documents evidencing or referencing communications between you and/or any of your attorneys and/or assistants with any employee, officer of, or attorney for, JPMorgan Chase Bank, N.A. from December 11, 2008 to the present relating in any way to a custodian's affidavit(s) and/or declaration(s).

May 13, 2019

**CHAITMAN LLP**

By: /s/ Helen Davis Chaitman  
Helen Davis Chaitman  
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465 Park Avenue  
New York, New York 10022  
Phone & Fax: 888-759-1114

*Attorneys for Defendants listed on Schedule  
A attached hereto*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 13, 2019, I caused a true and correct copy of the foregoing to be served by electronic mail and by USPS First Class mail on May 13, 2019 upon:

Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, NY 10111  
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*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Estate of Bernard L. Madoff*

**CHAITMAN LLP**  
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New York, NY 10022  
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*Attorneys for Defendants listed on Schedule  
A attached hereto*

|     | APN      | Case Name   | Counsel      |
|-----|----------|---|--------------|
| 1.  | 10-04397 | Fern C. Palmer Revocable Trust Dtd 12/31/9, et al.          | Chaitman LLP |
| 2.  | 10-04438 | Estate of Seymour Epstein, et al.                           | Chaitman LLP |
| 3.  | 10-04446 | Trust Dated 12/6/99 Walter and Eugenie Kissinger, et al.    | Chaitman LLP |
| 4.  | 10-04539 | The Gerald and Barbara Keller Family Trust, et al.          | Chaitman LLP |
| 5.  | 10-04545 | Jerome Goodman, et al.                                      | Chaitman LLP |
| 6.  | 10-04610 | The Whitman Partnership, et al.                             | Chaitman LLP |
| 7.  | 10-04709 | Andrew M. Goodman   | Chaitman LLP |
| 8.  | 10-04752 | Kuntzman Family LLC, et al.                                 | Chaitman LLP |
| 9.  | 10-04762 | James M. Goodman  | Chaitman LLP |
| 10. | 10-04809 | Edyne Gordon NTC  | Chaitman LLP |
| 11. | 10-04823 | Frank DiFazio, et al.                                       | Chaitman LLP |
| 12. | 10-04826 | Bover Palmer  | Chaitman LLP |
| 13. | 10-04837 | Leslie Ehrlich f/k/a Leslie Harwood , et al.                | Chaitman LLP |
| 14. | 10-04905 | Train Klan, a Partnership, et al.                           | Chaitman LLP |
| 15. | 10-04914 | Edyne Gordon  | Chaitman LLP |
| 16. | 10-04961 | Sylvan Associates LLC f/k/a Sylvan Associates Ltd           | Chaitman LLP |
| 17. | 10-04979 | James M. New Trust dtd 3/19/01, et al.                      | Chaitman LLP |
| 18. | 10-04991 | Guiducci Family Limited Partnership, et al.                 | Chaitman LLP |
| 19. | 10-05104 | The Gloria Albert Sandler and Maurice Sandler Revocable     | Chaitman LLP |
| 20. | 10-05124 | The Lawrence J. Ryan and Theresa R. Ryan Revocable          | Chaitman LLP |
| 21. | 10-05127 | Atwood Management Profit Sharing Plan & Trust, etc., et al. | Chaitman LLP |
| 22. | 10-05128 | JABA Associates LP, et al.                                  | Chaitman LLP |
| 23. | 10-05133 | Bover H. Palmer, individually, et al.                       | Chaitman LLP |
| 24. | 10-05150 | Plafsky Family LLC Retirement Plan, Robert Plafsky, et al.  | Chaitman LLP |
| 25. | 10-05151 | Palmer Family Trust, et al.                                 | Chaitman LLP |
| 26. | 10-05157 | The Harnick Brothers Partnership, et al.                    | Chaitman LLP |
| 27. | 10-05196 | Whitman 1990 Trust U/A DTD 4/13/90, et al.                  | Chaitman LLP |
| 28. | 10-05435 | Keith Schaffer, et al.                                      | Chaitman LLP |